

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 24, 2009

DIVISION ONE

[illegible]

The judgment is affirmed.

Miller, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

B213352 Los Angeles County, D.C.F.S. (Not for Publication)
v.
T. F.

The judgment terminating appellant's parental rights to R.J. is conditionally reversed. The cause is remanded to the juvenile court with instructions to direct the Department to provide the appropriate ICWA notice of the proceedings to the Bureau of Indian Affairs and any appropriate tribes. If, after receiving notice, no tribe intervenes, the court shall reinstate its judgment. If a tribe does intervene, the court shall proceed in accordance with law.

Rothschild, J.

We concur: Mallano, P.J.
 Chaney, J.

DIVISION ONE (continued)

B210214 People (Not for Publication)
v.
Dunning

The order denying Dunning's application for release from commitment is reversed and the cause is remanded to the trial court with directions to grant the application and to proceed thereafter in accordance with law.

Rothschild, Acting P.J.

We concur: Chaney, J.
Johnson, J.

[illegible]

The judgment is affirmed.

Rothschild, Acting P.J.

We concur: Chaney, J.
Johnson, J.

DIVISION TWO

B208794 People (Not for Publication)
v.
Payan

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

DIVISION TWO (continued)

B208424 People v. Abarca (Not for Publication)

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

[illegible]

The abstract of judgment is modified to reflect a sentence imposed of the middle term of two years, doubled to four years on count 1. The abstract of judgment is modified to reflect that the identical terms are imposed on count 2 and count 3, imposed concurrently, and stayed pursuant to section 654. A one-year term is imposed for the section 667.5, subdivision (b) enhancement on count 1. The judgment is modified to reflect 166 days of presentence custody credit and 82 days of presentence conduct credits, for a total credit of 248 days. A certified copy of the corrected abstract of judgment shall be sent to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

August 24, 2009 (Continued)

DIVISION TWO (continued)

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

B207415 Compass
v.
PGP Industries

Filed order denying petition for rehearing.

DIVISION FOUR

B208438 Markowitz (Not for Publication)
v.
Markowitz

The judgment is affirmed. Each party to bear their own costs.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

DIVISION SEVEN (continued)

Each of the following:

B204633 People v. Garcia
B205432 People v. Prado
B205718 People v. Weaver, et al.
B206563 People v. Garcia
B207807 People v. Ledezma
B208082 People v. Emery
B208165 People v. Montgomery
B208466 People v. V. D.
B208702 People v. Claycomb
B209625 People v. Gaines

Argument waived, cause submitted.

B206397 People
 v.
 Gibson

Merits:

Argued by Kevin Sheehy for appellant and by Chung Mar, Deputy Attorney General for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

B203802 Williams
 v.
 Williams

Merits:

Argued by Roger Rombro for appellant and by Gregory Ellis for respondent. Cause submitted.

DIVISION SEVEN (continued)

B207427 Hubbard
 v.
 Zagarian
 St. Francis Medical Center

Merits:
Argued by Jennifer Jacobs for appellant and by Craig Winterman and
Dawn Cushman for respondents. Cause submitted.

B204036 Castro, et al.
 v.
 Beuchel

Merits:
Argued by Bradley Spears for appellants and by Joseph Tuchmayer for
respondent. Cause submitted.

B209451 Carda, et al.
 v.
 Amoroso

Merits:
Argued by Dilip Vithlani for appellants and by John Amoroso for
respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy
Clerk.

DIVISION SEVEN (continued)

B209110 Jam
 v.
 Mitchell

Merits:
Argued by Kathy McCormick for appellant and by Daniel Gunning for respondent. Cause submitted.

B204871 Witter
 v.
 California Coastal Commission

Merits:
Argued by Sherman Stacey for appellant and by Gordon Overton, Deputy Attorney General for respondent. Cause submitted.

B212286 McVeigh
 v.
 California Department of Justice

Merits:
Argued by Tom McVeigh appellant in propria persona and by William Williams, Deputy Attorney General for respondent. Cause submitted.

B213916 McVeigh
 v.
 California State Lottery

Merits:
Argued by Tom McVeigh appellant in propria persona and by William Williams, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (continued)

B202610 Amerisourcebergen Corp.,
 v.
 Paul, Hastings, Janofsky et al.,

Merits:
Argued by Mark Baute for appellant and by Andra Greene for respondents.
Cause submitted.

Court adjourned.

DIVISION EIGHT

B206001 Fred Rucker (Not for Publication)
 v.
 Tu My Tong

The judgment is affirmed.

Bauer, J. (Assigned)

We concur: Rubin, Acting P.J.
 Flier, J.

B212787 People (Not for Publication)
 v.
 K.D.

The order is affirmed.

Bendix, J. (Assigned)

We concur: Rubin, Acting P.J.
 Bigelow, J.

DIVISION EIGHT (continued)

B204988 Berkman (Not for Publication)
 v.
 Wong

The judgment is affirmed.

Bauer, J. (Assigned)

We concur: Rubin, Acting P.J.
 Bigelow, J.

B208202 Marin (Not for Publication)
 v.
 Brush Wellman, Inc.

The order is affirmed. Respondent(s) to recover costs.

Flier, Acting P.J.

We concur: Bigelow, J.
 Bendix, J. (Assigned)

B209466 Gibson (Not for Publication)
 v.
 HSC Bank USA

The appeal is dismissed, and the matter is remanded to the trial court with directions to vacate the judgment and enter an order dismissing the action. Respondent HSBC Bank shall have costs on appeal.

Bauer, J. (Assigned)

We concur: Rubin, Acting P.J.
 Bigelow, J.

August 24, 2009 (Continued)

DIVISION EIGHT (continued)

B213369 In re A.S. (Not for Publication)
 Los Angeles County, D.C.F.S.
 v.
 J.M.

The order is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Bendix, J. (Assigned)